

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2933-01
BILL NO.: HB 1433
SUBJECT: Children and Minors; Tobacco Products
TYPE: Original
DATE: January 31, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	(\$135,346)	(\$140,299)	(\$143,869)
Total Estimated Net Effect on <u>All</u> State Funds*	(\$135,346)	(\$140,299)	(\$143,869)

*Does not include unknown costs to CTS.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Public Defender (SPD)** assume that an additional 1,000 indigent persons less than the age of 18 years would require representation in cases where they are charged with possession of cigarettes. SPD assumes they would need two additional FTE Assistant Public Defenders (\$33,360 each per year), an additional .75 FTE Paralegal Investigator (\$14,800 per year), and .50 FTE Legal Secretary (\$8,002 per year), equipment and operating expenses to carry out the provisions of the proposal with an estimated cost of approximately \$140,000 per full fiscal year to the General Revenue Fund.

Officials from the **Office of State Courts Administrator (CTS)** assume the proposal would prohibit minors from possessing tobacco products. Depending on the degree of the enforcement, CTS assumes there could be an increase in the number of cases filed. CTS is unable to determine the impact that could result on the budget of the judiciary.

Officials from the **Department of Corrections**, the **Office of Prosecution Services**, and the **Department of Social Services** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of the Attorney General** did not respond to our request for fiscal impact statement.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE FUND			
<u>Cost - State Public Defender (SPD)</u>			
Personal Service (3.25 FTE)	(\$79,769)	(\$98,156)	(\$100,609)
Fringe Benefits	(23,843)	(29,339)	(30,072)
Expense and Equipment	<u>(31,734)</u>	<u>(12,804)</u>	<u>(13,188)</u>
<u>Total Cost - SPD</u>	(\$135,346)	(\$140,299)	(\$143,869)
 <u>Cost - State Courts Administrator (CTS)</u>	 (Unknown)	 (Unknown)	 (Unknown)
 ESTIMATED PARTIAL NET EFFECT ON GENERAL REVENUE FUND*	 <u>(\$135,346)</u>	 <u>(\$140,299)</u>	 <u>(\$143,869)</u>

***Does not include unknown costs to CTS.**

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

Small businesses which sell tobacco products could be fiscally impacted by this proposal.

DESCRIPTION

The proposed legislation would make it a class C misdemeanor for a person under the age of 18 years to be in possession of tobacco products. The proposal would also require vendors of tobacco products to display signs in their places of business that state it is a violation of state law for minors to be in possession of tobacco products. Currently, vendors are required to display a sign stating only that it is a violation to sell tobacco products to minors. The proposal would delete an exception to the prohibition on distributing tobacco products to persons under 18 years of age. Currently, this provision is not violated if family members are responsible for the distribution and it takes place on private property.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Public Defender
Office of State Courts Administrator
Department of Corrections
Office of Prosecution Services
Department of Social Services

NOT RESPONDING: Office of the Attorney General



Jeanne Jarrett, CPA
Director
January 31, 2000